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EXAMINER	
JERABEK, KELLY L	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/068,254	VALE ET AL.	
	Examiner	Art Unit	
	Kelly L. Jerabek	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 May 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 5/27/2005 have been fully considered but they are not persuasive.

Response to Remarks:

Applicant's arguments (Amendment page 12) state that since the camera disclosed by Yamada goes into a copy mode only when the user pushes either a mode switch or a select switch, the reference does not teach or suggest automatically initiating a transfer of information from the data capture device. The Examiner respectfully disagrees. Yamada discloses in figures 1-3 a camera capable of accepting an auxiliary memory card (MC). The camera includes a liquid crystal display section (30) the displays a plurality of icon marks (46-66) according to the operation modes of the camera (col. 3, lines 60-67). When the memory card (MC) is attached to the camera, icon mark (64) is displayed thus automatically verifying that the connection has been established and the microprocessor (MPU1) instructs microprocessor (MPU2) to perform processing operations (col. 6, line 53 – col. 7, line 10). **When the microprocessor (MPU1) detects that the select switch (34) is pushed by a user, the microprocessor (MPU1) instructs the microprocessor (MPU2) to perform a**

processing for a copying mode (col. 7, lines 18-24). Therefore, it can be seen that when the select switch (34) is in the desired position a transfer of information from the capture device (copying mode) is automatically initiated by the microprocessors (MPU1, MPU2).

Applicant's arguments (Amendment page 13) state that the Fukuoka reference does not teach or suggest automatically initiating a transfer of information from the data capture device. This argument is moot because the Yamada reference discloses this feature and thus the combination of the Yamada and Fukuoka references meets all of the limitations of the claim.

Applicant's arguments (Amendment page 14) regarding claims 15, 18, 21, 22, and 25 state that Yamada an Fukuoka, either individually or in combination, do not teach or suggest enabling automatic initiation of a transfer of information from a device. The Examiner respectfully disagrees. Please see above response.

Applicant's arguments (Amendment page 14) state that the Okada reference does not teach or suggest enabling automatic initiation of a transfer of information from a device. This argument is moot because the Yamada reference discloses this feature and thus the combination of the Yamada, Fukuoka, and Okada references meets all of the limitations of the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 6, 8-9, 15, 18, 21-22, and 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. US 6,239,837 in view of Fukuoka US 2002/0054212.

Re claim 1, Yamada discloses in figures 1-3 a camera capable of accepting an auxiliary memory card (MC). The camera includes a liquid crystal display section (30) the displays a plurality of icon marks (46-66) according to the operation modes of the camera (col. 3, lines 60-67). When the memory card (MC) is attached to the camera, icon mark (64) is displayed thus verifying that the connection has been established and the microprocessor (MPU1) instructs microprocessor (MPU2) to perform processing operations (col. 6, line 53 – col. 7, line 10). When the microprocessor (MPU1) detects that the select switch (34) is pushed by a user, the microprocessor (MPU1) instructs the microprocessor (MPU2) to perform a processing for a copying mode (col. 7, lines 18-24). Therefore, it can be seen that when the select switch (34) is in the desired position

a transfer of information from the capture device (copying mode) is automatically initiated by the microprocessors (MPU1, MPU2). Also, when the camera is in the copying mode of copying image data from the main memory (MM) to the memory card (MC), icon mark (62) automatically provides a notification that a transfer of information is in process (col. 4, lines 32-35; col. 9, line 59 – col. 10, line 15). Each time an individual image is transferred and copied the values of icon marks (56, 60) are changed (col. 11, line 59 – col. 12, line 10). Therefore, icon marks (56,60) provide notification of successful completion of the transfer of information. Although Yamada discloses all of the above limitations, the icon marks provide notification of the status of the transfer of information from a camera to a removable memory card and not from a camera to a "host device".

Fukuoka discloses in figure 3 a camera including and I/O card for providing a connection to a computer and a memory card for storing image data. The I/O card (15) of the camera (30) functions as a serial communication connector in order to transmit image data from the camera (30) to a "host device" (remote computer (33,34)) (page 2, paragraph 33). The cards (15,16) can be connected to either of the card connectors in the camera (page 2, paragraph 3). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the I/O card capable of transferring image data from a camera to a host device as disclosed by Fukuoka in the camera capable of accepting a removable memory card as disclosed by Yamada. Doing so would provide a means for allowing a camera to perform communications through a wide variety of electronic communications medium (Fukuoka: page 1, paragraph 12).

Re claim 2, when the camera disclosed by Yamada is in the copying mode of copying image data from the main memory (MM) to the memory card (MC), icon mark (62) automatically provides a notification that a transfer of information is in process (col. 4, lines 32-35; col. 9, line 59 – col. 10, line 15). Icon mark (62) is displayed on LCD (30) therefore the icon mark (62) is an illumination of a light on the data capture device.

Re claim 6, see claim 2.

Re claim 8, Yamada states that each time an individual image is transferred and copied the values of icon marks (56, 60) are changed (col. 11, line 59 – col. 12, line 10).). Icon marks (56,60) are displayed on LCD (30) therefore the icon marks (56,60) are an illumination of a light on the data capture device.

Re claim 9, Yamada uses icon marks (56,60) to provide notification of successful completion of transfer of information but does not specifically state that the notification is provided by extinguishing a light on the data capture device. The Examiner takes **Official Notice** that it is well known in the art to illuminate an LED on a device that is transferring data during the transfer of the data and to turn off the LED when the

transfer is completed. Therefore, it would have been obvious for one skilled in the art to have been motivated to provide an LED that is turned off when the transfer of data is completed in place of the icon marks (56,60) for providing visual notification of successful completion of transfer of information.

Re claim 15, see claim 1.

Re claim 18, when the memory card (MC) is attached to the camera, icon mark (64) is displayed on LCD (30) thus verifying that the connection has been established and the microprocessor (MPU1) instructs microprocessor (MPU2) to perform processing operations (col. 6, line 53 – col. 7, line 10).

Re claim 21, when the camera is in the copying mode of copying image data from the main memory (MM) to the memory card (MC), icon mark (62) automatically provides a notification on LCD (30) that a transfer of information is in process (col. 4, lines 32-35; col. 9, line 59 – col. 10, line 15).

Re claim 22, each time an individual image is transferred and copied the values of icon marks (56, 60) on LCD (30) are changed (col. 11, line 59 – col. 12, line 10).

Therefore, icon marks (56,60) provide notification of successful completion of the transfer of information.

Re claim 25, see claim 22.

Claims 3-5, 7, 10-14, 16-17, 19-20, 23-24, and 26-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of Fukuoka and further in view of Okada US 6,630,954.

Re claim 3, the combination of Yamada and Fukuoka disclose all of the limitations of claims 1 and 2 above. However, the notifications provided by Yamada are icon marks that are displayed on an LCD. The combination of Yamada and Fukuoka does not specifically state that the notifications are light emitting diodes or audio signals.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has already been transferred, a message is provided to the user indicating that the image to be erased has already been transferred to another storing area (col. 2, lines 54-62). The message is provided to the user using either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 2, lines 41-53). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using an LED or a buzzer for user notification

as disclosed by Okada in the camera capable of accepting a memory card as disclosed by Yamada in view of Fukuoka. Doing so would provide a means for flickering an LED or sounding a buzzer in order to provide notifications to a user of a camera (Okada: col. 2, lines 54-62).

Re claim 4, Okada states that a flickering led is used to notify a user that an image has been transferred (col. 2, lines 41-46).

Re claim 5, the LED disclosed by Okada is green to confirm that an image has been transferred (col. 2, lines 41-46).

Re claim 7, Okada states that sound generation of a buzzer is used to notify a user that an image has been transferred (col. 2, lines 50-53).

Re claim 10, the combination of Yamada and Fukuoka disclose all of the limitations of claims 1 above. Yamada also states the when the capacity of the auxiliary memory is insufficient before the whole image is transferred icon mark (60) indicates the number of uncopied image data (col. 12, lines 11-49). However, the combination of Yamada and Fukuoka does not specifically disclose an automatic notification of failure if the transfer of information is not successfully completed.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has not been transferred, a message is provided to the user indicating that the image to be erased has not been transferred to another storing area (col. 2, line 63 - col. 3, line 24). The message is provided to the user using either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 3, lines 1-10). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using an LED or a buzzer to notify a user that a transfer of information was not successfully completed as disclosed by Okada in the camera capable of accepting a memory card as disclosed by Yamada in view of Fukuoka. Doing so would provide a means for flickering an LED or sounding a buzzer in order to provide notifications to a user of a camera that an image has not yet been transferred (Okada: col. 3, lines 11-19).

Re claim 11, Okada states that a red LED is lit to notify the user that the image to be erased is not transferred (col. 3, lines 1-4).

Re claims 12-13, see claim 11.

Re claim 14, Okada states that a message on an LCD is used to notify the user that the image to be erased is not transferred (col. 3, lines 4-8).

Re claim 16, the combination of Yamada and Fukuoka disclose all of the limitations of claim15 above. However, the notifications provided by Yamada are icon marks that are displayed on an LCD. The combination of Yamada and Fukuoka does not specifically state that the notifications are light emitting diodes or audio signals.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has already been transferred, a message is provided to the user indicating that the image to be erased has already been transferred to another storing area (col. 2, lines 54-62). The message is provided to the user using either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 2, lines 41-53). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using an LED or a buzzer for user notification as disclosed by Okada in the camera capable of accepting a memory card as disclosed by Yamada in view of Fukuoka. Doing so would provide a means for flickering an LED or sounding a buzzer in order to provide notifications to a user of a camera (Okada: col. 2, lines 54-62).

Re claim 17, the LED disclosed by Okada is green to confirm that an image has been transferred (col. 2, lines 41-46). Okada also states that in addition to the color and flickering period of the LED, the light-on time of the LCD is used to provide notifications to the user of a camera (col. 6, line 65 – col. 7, line 10).

Re claim 19, Okada states that a flickering led is used to notify a user that an image has been transferred (col. 2, lines 41-46).

Re claim 20, see claim 19.

Re claim 23, see claim 19.

Re claim 24, the combination of Yamada, Fukuoka, and Okada discloses all of the limitations of claim 23 above. Yamada uses icon marks (56,60) to provide notification of successful completion of transfer of information but does not specifically state that the notification is provided by extinguishing a light on the data capture device. The Examiner takes **Official Notice** that it is well known in the art to illuminate an LED on a device that is transferring data during the transfer of the data and to turn off the LED when the transfer is completed. Therefore, it would have been obvious for one skilled in the art to have been motivated to provide an LED that is turned off when the transfer of data is completed in place of the icon marks (56,60) for providing visual notification of successful completion of transfer of information.

Re claim 26, the combination of Yamada and Fukuoka disclose all of the limitations of claims 15 above. Yamada also states the when the capacity of the auxiliary memory is insufficient before the whole image is transferred icon mark (60) indicates the number of uncopied image data (col. 12, lines 11-49). However, the combination of Yamada and Fukuoka does not specifically disclose an automatic notification of failure if the transfer of information is not successfully completed.

Okada discloses an image pickup apparatus including an image erasure status notification function. If the image data has not been transferred, a message is provided to the user indicating that the image to be erased has not been transferred to another storing area (col. 2, line 63 - col. 3, line 24). The message is provided to the user using either a flickering LED, a display of an LCD, or a sound generation of a buzzer (col. 3, lines 1-10). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of using an LED or a buzzer to notify a user that a transfer of information was not successfully completed as disclosed by Okada in the camera capable of accepting a memory card as disclosed by Yamada in view of Fukuoka. Doing so would provide a means for flickering an LED or sounding a buzzer in order to provide notifications to a user of a camera that an image has not yet been transferred (Okada: col. 3, lines 11-19).

Re claim 27, Okada states that a red LED is lit to notify the user that the image to be erased is not transferred (col. 3, lines 1-4).

Re claim 28, Okada states that a message on an LCD is used to notify the user that the image to be erased is not transferred (col. 3, lines 4-8).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571)**

272-7312. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached at **(571) 272-~~7564~~ 7382**. The fax phone number for submitting all Official communications is **(571) 273-8300**. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at **(571) 273-7312**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ

THAI TRAN
PRIMARY EXAMINER